

May 30, 2019

Federal Communications Commission  
Commission's Secretary, Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

RE: Draft Declaratory Ruling

Dear Ladies and Gentlemen of the FCC,

I am writing on behalf of SAFE Credit Union, which serves 13 counties in Northern California. We have 234,000 members and \$3.0 billion in assets. SAFE respectfully submits the following comments to the Federal Communications Commission (FCC) on its draft Declaratory Ruling (Ruling) and Third Further Notice of Proposed Rulemaking (FNPRM) regarding "Advanced Methods to Target and Eliminate Unlawful Robocalls" (CG Docket No. 17-59, WC Docket No. 17-97).

We are concerned the draft Ruling will limit our credit union's ability to contact and communicate with our 234,000 members about critical time-sensitive information and provide consumer protections regarding fraud, privacy, account activity, and the servicing of their loans. We are also concerned the draft Ruling conflicts with the encouragement the Consumer Financial Protection Bureau (CFPB), National Credit Union Administration (NCUA) and other financial regulators have given financial institutions to use modern communication methods to provide time-sensitive account information to members.

For example, neither the credit union nor credit union members will know when calls are blocked. If our calls to members regarding fraud on their account are blocked, they may face costly charges in the form of general liability for fraud charges up to \$500 for debit account fraud identified within the first 60 days to the full amount of any fraud identified thereafter; \$50 for each instance of credit-card fraud; and account overdraft fees or over-the-limit fees based on their credit limits. Dealing with these types of issues and taking the time and effort required to resolve them, will cause great inconvenience to our members.

We support efforts to reduce illegal robocalls; however, the draft Ruling is overly broad. The FCC should provide more to structure the Ruling to limit true illegal robocalls while retaining the ability of credit unions and other legitimate businesses to continue to conduct necessary business with customer/members with whom they have a pre-existing and ongoing relationships. We believe the Ruling should only apply when the consumer is not an established customer of the business initiating the call. Calls or other communications for legitimate business purposes to an existing customer should be excluded.

Given these significant concerns, we strongly urge the FCC to take more time to consider stakeholder comments and potential unintended consequences, instead of making the draft Ruling effective upon adoption.

Thank you for the opportunity to comment on the draft Ruling and for considering our views.

Sincerely,

Dave Roughton  
President/CEO  
SAFE CU

cc: CCUL